

**MINUTES OF THE REGULAR MEETING OF THE PLANNING BOARD OF
THE VILLAGE OF IRVINGTON HELD IN THE TRUSTEES' ROOM, VILLAGE
HALL, ON WEDNESDAY, JULY 12, 2000.**

Members Present: Peter Lilienfield, Chairman
Jay Jenkins, Secretary
Patrick Natarelli

Members Absent: William Hoffman
Allen Morris

Also Present: Lino J. Sciarretta, Village Counsel
Brenda Livingston, Ad Hoc Planning Board Member
Edward P. Marron, Jr., Building Inspector
Florence Costello, Planning Board Clerk
Robert Citarell, Environmental Conservation Board
J&L Reporting Service for Westwood Development Associates
Applicants and other persons mentioned in these Minutes
Members of the Public.

IPB Matters

Considered: **94-03 – Westwood Development Associates, Inc.**
Broadway, Riverview Road & Mountain Road
98-44 – Ciccio & Chernick
Riverview Road
00-21 – Mercy College (Informal Discussion)
555 Broadway
00-22 – Shishir Bhattacharya
64 Butterwood Lane East
00-23 – Larry Rudolph
56 Manor Pond Lane
00-24 – Miji Inaba
Fieldpoint Drive
00-25 – Andrew Abrams
215 Mountain Road
00-26 – John Brennan & Marian Schuman
97 Fargo Lane
00-27 – Stanley Rubenzahl
76 North Broadway
00-28 – Bridge Street Properties, Inc. (Informal Discussion)
1 Bridge Street

The Chairman called the meeting to order at 8:00 p.m.

Administrative:

With reference to a Local Law adopted by the Village Board prohibiting the Board from considering any application concerning property on which taxes are delinquent, Mrs. Costello advised the Board that the Village Clerk-Treasurer had confirmed that all properties on the Agenda were current as to taxes and fees, with the exception of Westwood, where payment was reportedly delayed due to an incorrect address. Upon representation by Charles Pateman that the situation would be immediately resolved, the Chairman agreed to permit Westwood to make a short appearance.

IPB Matter #98-44:

Application of Joseph & Denise Ciccio and Mitchell & Sheri Chernick for subdivision of Property at Riverview Road.

Norman Sheer, Esq., attorney for the Applicant appeared to continue the public hearing on this Application. The Chairman noted that correspondence has been exchanged between the Applicant and Village Counsel and that discussions are continuing regarding the effect of the 1989 Agreement affecting the property.

This public hearing was adjourned to the August 2, 2000 meeting of the Planning Board.

IPB Matter #00-27:

Application of Stanley Rubenzahl for Amendment of Subdivision Plan at 76 North Broadway.

Norman Sheer, Esq., attorney for the Applicant, appeared for the Applicant. The Application relates to property at 76 North Broadway as to which a subdivision into two lots was approved in 1999. The Applicant desires to redraw the line separating the two lots to include more property in Lot 1 by increasing its size from .724 acres to .94595 acres. There is no change in site capacity. The applicant indicated that they would agree to a condition that there would be no further subdivision of Lot 1. There were no comments from the public or from Mr. Mastromonaco. The Board determined this to be a Type II action.

The applicant agreed to prepare a draft resolution for submission at the next Planning Board meeting.

IPB Matter #00-22:

**Application of Shishir Bhattacharya for Waiver
Of Site Development Plan Approval for property
At 64 Butterwood Lane East.**

Applicant appeared for himself. The Application relates to a proposed extension of a kitchen and other improvements, including a finished basement. Mr. Mastromonaco noted that (i) no topography was shown on the site plan, (ii) the coverage calculations may be problematic because of a concrete patio, (iii) the site plan was not drawn to scale, (iv) there is a potential driveway encroachment and (v) there is no submitted survey.

After discussion, this Application was carried over and the Applicant was asked to respond to Mr. Mastromonaco's comments and other issues raised at the meeting dealing with easements.

IPB Matter #00-23:

**Application of Larry & Ronna Rudolph for
Waiver of Site Development Plan Approval for
Property at 56 Manor Pond Lane.**

Matthe w Behrens, Architect, appeared for the Applicant. The Application relates to two new two-story additions to be constructed at the front and rear of an existing residence for, among other things, an expanded dining room and master bedroom. The Applicant was requested to review the coverage calculations to determine if the proposal incorporates a coverage change in excess of 15%. There were no comments from the public. Mr. Mastromonaco noted that (i) no topography was shown on the site plan, (ii) the site plan was not drawn to scale, (iii) there is no submitted survey and (iv) the coverage calculations must be reviewed.

After discussion, this Application was carried over and the Applicant was asked to respond to Mr. Mastromonaco's comments described above.

IPB Matter #00-24:

**Application of Miji Inaba for Amendment of
Approved Subdivision at Fieldpoint Drive.**

This application was removed from the agenda by the Building Inspector prior to consideration by the Planning Board. The Applicant will instead first seek a variance from the Zoning Board of Appeals with regard to the height of the structure that has been built on the property. The Planning Board received a letter from Mr. Mastromonaco noting his concerns; it is anticipated that this applicant will come before the Board in August at which time these and any other issues will be addressed.

IPB Matter #00-25:

**Application of Andrew Abrams for Waiver of
Site Development Plan Approval for property at
215 Mountain Road.**

Emilio Escaladas, Architect, appeared for the Applicant. The Applicant presented evidence of mailing of Notice to Affected Property Owners. The Application relates to the addition of a breakfast room of 210 square feet, and construction of a small deck. Plans entitled Proposed Addition for Mr. And Mrs. Abrams, 215 Mountain Road, submitted by Escaladas Associates, Architects and Engineers, dated June 6, 2000, 3 sheets, were submitted. There were no comments from the public. The Board noted that the proposed construction was located outside of the Village's Watershed Boundary and that drainage would not be an issue; it was also determined that this was a Type II action. Mr. Mastromonaco noted that (i) there was no topography shown on the site plan, and (ii) the coverage calculations need to be effected. The Board noted that the survey is not sealed.

After discussion, on motion duly made, seconded and unanimously approved, the Board then adopted the following Resolution:

WHEREAS, the Planning Board has determined in accordance with Section 243-71 of the Village Code that the proposed construction meets conditions which permit Site Development Plan Approval to be waived in that (1) special conditions peculiar to the site exist which make submission of information normally required as part of an application for Site Development Plan Approval inappropriate or unnecessary, including the facts that the proposed construction does not violate existing zoning, will not affect any environmental features or resources requiring protection, and will not require major site disturbance or removal of any significant trees, (2) that in these circumstances, to require strict compliance with the requirements for Site Development Plan Approval may cause extraordinary or unnecessary hardship; and (3) that the waiver of requirements for Site Development Plan Approval will not have detrimental effects on the public health, safety or general welfare, or have the effect of nullifying the intent and purpose of Site Development Plan submission, the Official Map or Comprehensive Land Use Plan, or Zoning Ordinance of the Village of Irvington, or of any Local Law adopting or amending any of said Map, Plan or Ordinance, **NOW, THEREFORE**, the Planning Board hereby waives all requirements for Site Development Plan Approval for this Application, subject in all events to submission of a sealed Survey, topography drawings and confirmation of Mr. Mastromonaco's approval.

IPB Matter #00-26:

**Application of John Brennan & Marian
Schuman for Site Development Plan Approval
For property at 97 Fargo Lane.**

Craig Studer appeared for the applicant. The Application relates to construction of a swimming pool for which Planning Board Approval is required. The Chairman noted

that Notice of the Application may not have been provided to abutting property owners, including those on the north side of Sunnyside Lane in Tarrytown. Mr. Mastromonaco noted that (i) coverage calculations need to be effected and (ii) new drawings are necessary to reflect proper drainage areas and the location of a proposed retaining wall. The applicant indicated that modifications had already been made to the plans initially submitted to the Board, and that further changes were being considered.

After discussion the Application was carried over and the Applicant was requested to respond to the above described deficiencies, confirm that notices had been properly sent, and to provide revised plans at the August meeting.

IPB Matter #94-03:

Application of Westwood Development Associates, Inc., for Limited Site Development Plan Approval for property at Broadway, Riverview Road and Mountain Road.

Charles Pateman appeared for the Applicant. The proceeding was a continuation of the Public Hearing on the Westwood Development Project, and a transcript was prepared by J&L Reporting Service.

The Board received a letter from Mr. Mastromonaco dated July 12, 2000 addressing the applicant's request for certain waivers and the Board approval to provide certain details at the end of final plan approval rather than at preliminary approval. This was circulated to both the Board and the Applicant for review and comment at the August meeting. Mr. Pateman reported that the Applicant is finalizing engineering drawings responsive to Mr. Mastromonaco's previous comments and that the Applicant intends to meet with Mr. Mastromonaco to review the drawings.

The public hearing was continued to the Board's August 2, 2000 meeting.

IPB Matter #00-21:

Application of Mercy College for renewal of Special Permit.

Nathan Dickmeyer, Vice President for Finance and Administration/Treasurer of Mercy College, appeared for the Applicant for the continuation of this informal discussion. The Application relates to the proposed amendment and renewal of the Special Permit granted to Mercy College June 6, 1996. Samuel Abate, Jr., Mayor of the Village of Ardsley, and Brian Murphy, Ardsley Village Counsel, also appeared.

The Chairman noted that the Board had received a letter dated May 22, 2000 from the Applicant outlining certain proposed amendments to the Special Permit, which letter is incorporated herein by reference. The Board is awaiting an opinion from Counsel with regard to the process that would need to be followed with regard to modifying the Special

Permit. The Board is awaiting a report from the Village Building Inspector to confirm compliance with the terms of the Special Permit.

The Village Counsel of the Village of Ardsley advised the Board that the Village of Ardsley is close to completing an agreement with Mercy College to allow Ardsley residents to use 120 parking spaces at Mercy College for access to the Ardsley-on-Hudson train station. Each of the members of the Planning Board noted that any such development would constitute a material modification to the Special Permit and may require a complete new application procedure, including without limitation, environmental impact statements. Mr. Natarelli responded the Irvington Police Department confirmed no law enforcement problems related to the operations of Mercy College.

After discussion, the Ardsley Village Counsel was asked to submit additional information about the effect of the use of parking at Mercy College, statistics from Metro-North Railroad about the use of stations at Ardsley-on-Hudson, Irvington, Dobbs Ferry and Hastings and such other information as may assist the Board in the review of the Application.

IPB Matter #00-28:

**Bridge Street Properties, Inc.,
Informal Discussion.**

Andrew Lyons, William Thompson, and Walter Sedovic appeared for Bridge Street Properties, Inc., in connection with this informal discussion of the proposed construction of an office building at One Bridge Street (an area zoned for industrial use).

The group advised the Board as follows:

- the building would be 3 stories, with 3 units (office space) on each floor.
- The new building would be approximately 25,000 square feet
- all the buildings in the complex comprise approximately 172,000 square feet
- 282,000 square feet of improvements are allowed
- there will be approximately 419 parking spaces.

The Board noted that a full SEQRA review will be necessary in connection with any formal application process. After further discussion, the matter was continued to the August 2nd meeting.

- The Minutes for the Planning Board meeting on June 7, 2000 were approved.
- The next regular meeting of the Planning Board was scheduled for August 2, 2000.

Respectfully submitted,

Jay Jenkins, Secretary